C.R.S. [X–5]

Previous references
Mal 22 – 20 38, 50, 52, (
" 42 – 98 1, 4, 11 + 32
" 34 – 168 131, 134 + 135 –
Later references

192 Mal

File No 23 – 21
Serial Nos. 53, 64, 70
99, 100, 105

GENERAL AND REVENUE SECRETARIAT.

Serial Nos

Part B for December 1923

SUBJECT

Petition from Rao Bahadur Thimarayappa L Inamdar regarding serious allegations against the Chairman & the Superintendent. Urges inquiry & action thereon.

8 105 Thimarayappa, Inamdar Sy-
L 4192 & 6 12 23

Informs him that the house was duly assessed and that the question of Compensation for assessment was duly settled by a Court of Law and adds that after three times as long as this the assessed house has been allotted to him by the Trust Bd on certain conditions which he may take if he is agreeable

M/12 Dawson 29 12 23

W D 2271—G.P.E.—1 000—10-5-20

REPLY

(To be written on this margin)

REVENUE & JUDICIAL SECRETARIAT. L 3465 20 DEC 1921 LOCAL SELF GOVT. BRANCH

Office of the Dewan of Mysore.

NOTE

Dated 16th Dec.1921. *192*

1. Petition dated the 29th Nov.1921 -Enclosure one.
2. Petition dated the 13th Dec.1921.

The marginally noted petitions of Thimmarayappa of Mysore City praying for redress in the matter of the acquisition of his house, by the City Improvement Trust Board, are forwarded with compliments to the Revenue Secretary to Government. There are serious allegations made regarding the irregularities in the procedure of the Board which require a full investigation. The petitioner has produced some papers which seem to indicate that the propriety of the acquisition proceedings was questioned in the Civil Courts. Records relating to the acquisition will be called for and a complete note prepared at a very early date after careful examination.

Secretary to Government

Revenue Secretary to Government

Draft Submitted 24/12/21

Issued 24/12/21

R. S III-2]

3

2

General and Revenue Secretariat. | ML File No 23 of 1921.

Serial No.	
53	To. The Chairman, Trust Board Mysore No L 37227 dt 23 12 1921. Forwards the petition of Thimmappa for resubmission with a report on the allegation made therein in the matter of the acquisition of his house
64	From the Chairman, Trust Board, Mysore No 60 & 26-1-22. Reports that the house belonging to Thimmaraya appa was acquired and demolished on its delivery by the City Magistrate and after every possible facilities and chance given to Thimmarayappa, that no loss was ever caused to him ~~and that~~ his allegations are unfounded, that Thimmaraya appa was ordered to vacate in Nalla Street, which he declined to take, and adds further that Thimmaraya appa's case was not by the Court nor did his interest ever suffer thereby. That proceedings of Thimmaraya appa against the acquisition of his house was finally closed by Govt by G.

RECEIVED & INITIALLED SECRETARIAT
23 DEC 1921
LOCAL SELF GOVT. BRANCH.

NOTE—Contn sheet.

G R S III 2,

General and Revenue Secretariat | G.C. File No. 23 of 1924

Serial No

F + E

the issue of an endorsement to them stating that Govt would not intervene in the matter (Vide Govts o/n 3431/ G.C. 24-16-135 Genl R 4555/G.C 42-19-32 & 28-12-17 and 20-12-19 respectively)

6 It is now reported that Thirumanayappa went on filing frivolous complaints against the Trust Board authorities before the City Magistrate and the Sessions Courts, where they were rejected and that he has now put in a revision petition to the Chief Court, where it is now pending

The original file of papers called for are sent to be with the Govt Advocate in connection with the revision petition now pending in the Chief Court, as stated above

7 It is a point for orders whether this may await the decision of the Chief Court on the said revision petition. The full history of Thirumanayappa's case is given in the

16.2.25

NOTE—Contn sheet.

5756

(4

G. R. S. III-2,

General and Revenue Secretariat

File No. 23 of 1921

Serial No

not found in file Page 5 (Page 347)

The Office Note dt 4-2-22 (Pages 36-7) Receivable from Secy.

9/2 Submitted for orders with ref to para 1 supra.

16.2.22

9/2 A perusal of the Chairman's letter and the judgment of the First Munsiff goes to show clearly that there is no truth in the allegations made by the petitioner. If deemed necessary, the original records will be examined after the Chief Court passes orders on the revision petition now pending before it ~~after the~~

(Dev Secy.) Record after the records are received here 16/2/22

16/2

DEWAN'S OFFICE. Recd. on FEB 17 1922 Reg. No. 4376

(Dewan) To the Office. 20/2/22

Draft is issued for a fair copy

24/2

To Issue 25/2/22

25/2

NOTE—Contn. sheet.

5705 (5

G. R. S. III-2,

General and Revenue Secretariat. | M File No. 23 of 1921

Serial No 70

To, The Chairman, Trust Board Mysore
No L 5104/d 7-3 22
Requests to forward the file of correspondence re. to Thimmaraya pha's Case and to forward a copy of the decision of the Chief Court in the Matter

SECRETARIAT 8 MAR 1922 LOCAL SELF GOVT BRANCH

Letter No 168, 8. 9 23 from the President, Regarding Trust Amount
Submits the connected records relating to Thimmarayappa's Case and states that the acquisition of the petitioner's house has become absolute since he has exhausted all his remedies in the Civil and Criminal Courts and the Chief Court also, and that he has now Chosen to behave as if he is labouring under the hallucination that the acquisition of his house has been ordered by Govt to be withdrawn or that they had ordered the land to be given back to him.

S (Pages 367)

14 The full history of the case is contained in the office note (Pages 367) of the 42-1 file (Pages 1, 4, 11 & 32 part ref herein)

15 The revision petition of Thimmarayappa pending before the Chief Court was also

NOTE—Contin sheet.

(6

R. S. III-2]

General and Revenue Secretariat | RL File No 25 of 1921.

Serial No	
	J also dismissed a copy of the Chief Court's decision called for by the Chairman from the District Registrar of Hayesville, has not been sent
	16 The petitioner's case was finally disposed of by the issue of endorsements informing the petitioner that Govt would not
	O interfere in the matter (Govt Order 3431 'RL 34-6
	F 135 Dy 28 12 19 and No R 4556/RL 42-19-32 & 20-10 19)
P 22-3 (Para 4)	17 In regard to the powers of Dhanmarayappa contained in his recent petition now under disposal the Chairman states that Dhanmarayappa was asked to present a license application in the prescribed form mentioning therein the boundaries and other particulars of his site with a plan of the building proposed to be put up, that in reply, he applied to put up a shed on the land to the east of the Ambedkar Pandit's School on the Chamarajpet Road, which formed part of the properties acquired for the construction of a High School Students' Home and that he was informed that the whole of that land belonged to Govt and that the Trust Board had the power to refuse him the erection of a shed thereon

NOTE—Contn sheet

(7

G R S III 2]

General and Revenue Secretariat | File No 23 of 19 21

Serial No

18 In connection with Chairman's application for a to build a habitation the Chairman invites reference to his letter No. C. 205 of 28th Dec 1920 allotting a site in Walker Street, Kirkmanapatam ~~and the states that~~, three times as big as the site of a are acquired have and only a few yards from it. He states that the said site is still available for him

Submitted for orders with ref to para 1 supra

CSR 21 9 23

18.9.23

19 Rev. Sec.)

20 The Judge of Main Magistrate states that he may be permitted to put up a shed in a certain hotel premises & to keep him but the Chairman reports that this site belongs to and being a portion of a ground required for the Construction of a high school and Students' Hostel &

21 A D letter Mem

NOTE—Contn sheet

G. R. S. III-2]

General and Revenue Secretariat.

At File No. 23 of 1924.

Serial No	
	From the Chairman is put up that his prayer cannot be granted (Order) 22/8/24
	23) At full rate as necessary in the case of the late Dewan Collector's Salary for leave is 16 12 21
	24 Put up Collector's note 6/10

WAN'S OFFICE.
Recd. on SEP 24 1924
Reg. No. 2021
with file

NOTE—Contn sheet

[Strictly Confidential]

9

Mysore,
10th September 1923.

D.O.

Dear Jayarama Iyer,

Re— Thimmarayappa's case, about which I have submitted an official communication to-day He was a Sepoy in Palace Military, whence he was dismissed. Having since resisted all constitution and authority throughout the whole of the Acquisition Proceedings of his house, and having exhausted all his remedies in Civil & Criminal Courts, and the Chief Court, he has lately become far more intemperate and violent than he always was. And being addicted to ganja, he seems to have grown desperate, after all his neighbours' suits which he had instigated to file— viz those of Venkatamma, Ramia, and Krishniah, whose prime witness he was — have also been dismissed by all original and appellate Courts.

2. He has latterly been frequently coming to office, creating row, using abusive language, & casting personal aspersions against all the indoor and outdoor officials, and it is feared that his rowdy behaviour in a Public Office, if not checked, will infuse a bad spirit in some of the roughs, and disturb the course of business and the people who attend it He always refers in public places and gatherings, to the various petitions alleged to have been presented by him to Government and Higher Authorities, including the Honourable the Resident and Government of India, and says that the British Parliament is engaged in enquiring his case ! He

1

40

Court railing at Government and all Law Courts and Officers, are issuing only foolish orders closing their eyes blindfold. The entertainment of his numerous petitions and the enquiries made thereon, is assumed by him as his cause being just, which, he says, is being thwarted by the Chairman and all authorities in collusion with him. It is not that he does not understand the situation or is ignorant of the endorsements given to him by Government, but merely pretends to have been wronged, for giving vent to his intemperate habits and rabidly abusive language.

3 Some time back on a highway in the presence of Durbar Bakshi and others, he harangued and created a scene which tried the utmost patience of both of us to quiet him down, and a couple of days ago in office, he behaved likewise and most furiously in the presence of a large number of petitioners who were all quite dismayed. For fear of causing disturbance, I had to keep absolutely silent, till he had spent all his vituperation and then to calmly tell him that all his papers would again be submitted to Government for orders as he wanted.

4. I am not sure if anything will satisfy him. His last 2 or 3 applications which will also be found in the file are only examples of his temper and expressions, though only in a mild form compared to his actual deportment, and speak for themselves.

5. And as he wants a very early and decisive reply of Government <u>direct</u> to him, I request you to kindly submit this information also to Dewan, along with the records and obtain the needful orders in the matter.

Yours sincerely

Sikkandar Saib

C. & S. III-2.

General and Revenue Secretariat

File No. 23 of 1917

Serial No

The full facts of the case are briefly summarised below

25 Property No (194) 777-78 belonging to the petitioner was one of those declared for acquisition in connection with the removal of congestion in a portion of Krishnaraja Mohalla under Government Notification No 7808/M1 204-06-8 dated the 6th March 1907 Acquisition proceedings were taken by the Chairman in respect of that property and an award of of Rs 300 (inclusive of Rs 1-12-9 being the arrears of Municipal tax due on the property) as compensation therefor was passed on 1st August 1915 with the consent of its owner Thimmarayappa

26 Thereupon the petitioner was repeatedly asked to adduce sufficient documentary proof to claim the full amount of compensation so awarded, to the exclusion of the claim of one Chikkamadappa (since dead) known to have a mortgagee interest in the property and as he failed to do so, the case was referred to the District Judge of Mysore for adjudication under Section 30 of the Land Acquisition Regulation and the amount of compensation, viz , Rs 298-3-3(exclusive of the Municipal tax referred to above) was deposited in the said court and this fact was intimated to the petitioner by a notice dated the 26th January 1917

NOTE—Contn. sheet

G R S III-2,

General and Revenue Secretariat

File No. 23 of 1924

Serial No

17 As the petitioner though urged many a time did not hand over possession of the said property to the Trust Board, the assistance of the City Magistrate was then sought for by the Chairman on the 12th March 1917 to enforce surrender of the property to the Board under Section 47 of the Land Acquisition Regulation

18 Thereupon the petitioner began to submit representations both to the City Magistrate and the Chairman for extension of time to hand over the property and also to Government on the 23rd and the 26th April 1917 These two petitions addressed to Government were forwarded to the Chairman for report with this office letter No 7386/M1 34-16-100 dated the 21st May 1917

19 In the meanwhile the said petitioner applied to the Trust Board on 30th March 1917 for a loan of Rs 100/- for constructing a house on a new site in Nala Street granted to him by the Trust Board in lieu of his houses acquired but the same was refused, as the terms upon which he wanted the loan were inconsistent with the existing rules for the grant of house-building advances and the same was intimated to him on 3rd April 1917

20 On 28th August 1917 the District Judge for whose decision the case was referred as stated above passed

NOTE—Contn sheet

G R S III-2,

General and Revenue Secretariat — A/L File No. 23 of 1921

Serial No

G passed a decree in favour of the petitioner Thimmarayappa as entitled to the award and intimated this fact to the Chairman

H 31 The Chairman with his letter No. 346-S 60/C 648 of 16-17 dated the 10th November 1917 submitted a detailed report called for by Government explaining the facts of the case as summarised above and the same was recorded in G O No. 3438/Ml.34-16-134 dated the 28th December 1917 and the petitioner was simultaneously informed that Government could see no reason to interfere in the matter

J

K 32 On 5th July 1919 Thimmarayappa even approached the Private Secretary to His Highness and the latter called for and got the connected papers with a report from the Chairman and simply returned them with his letter dated 14th July 1919

L

M 33 On 16th July 1919 Thimmarayappa presented a petition complaining against the Trust Board and praying that his house ~~xxxxx~~ might not be acquired compulsorily and this petition was forwarded to the Chairman for a report with instructions that further action might be deferred pending orders on the report called for above The Chairman submitted a report with his letter No. A dated the 15th August 1919 stating that a detailed report in the matter was submitted to Government with his letter No 346-S 16/G

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O

H

NOTE—Contd sheet

Serial No

648 of 16-17 dated the 10th November 1917 and that-- the same was recorded by Government in the Proceedings No. 3413/Ml.34-16-134 dated the 28th December 1917

He further stated that there were no further remarks to be made except that the said Thimmarayappa after giving his written consent to part with his property had become recalcitrant apparently on the wrong impression that it would be given over to one Dattagally Rajanna, while it could not be done so and that all other efforts to get possession of his land since August 1916 having been frsutrated from time to time, the aid of the City Magistrate was sought for and obtained Thereupon the attention of the petitioner was drawn to the endorsement of the 28th December 1917 granted to him informing that Government would not interfere in the matter and informed him that Government see no reason to reconsider their order already passed in the matter vide Endorsement No R 4555/Ml 42-19-32 dated the 20th October 1919

Thimmarayappa again presented two petitions to Government dated the 29th November 1921 and 13th December 1921 praying for redress in the matter of acquisition of his house by the Trust Board together with a copy of the order of the First Munsiff of Mysore in O S No 1014 of 1919-20 making certain observations regarding irregularities in the procedure adopted by

G R. S III-2,

General and Revenue Secretariat | rd File No. 23 of 1921

Serial No

the Trust Board, in the matter of the acquisition of Thimmarayappa's house In this office letter No - No L 3722/M1.23-21-53 dated the 23rd December 1921 a detailed report with entire records on the allegations made in the said petitions and on the observations made by the Munsiff was called for from the - - Chairman within a fortnight Thereupon the Chairman in his letter No 60 dated the 28th January 1922 reported that, on the completion of the acquisition - proceedings, Thimmarayappa persistently evaded handing over the possession of the house and kept out of - sight and that the City Magistrate was therefore requested to cause its surrender under Section 47 of the Land Acquisition Regulation The possession of the petitioner's house was subsequently obtained - through the assistance of the Police under the orders of the City Magistrate and the same was demolished -- after every facility and chance being given to Thimmarayappa No loss was every caused to him and his allegations were untrue He was also offered a site in Nalla street, which he declined to take

36 As for the observations made by the First Munsiff, the Chairman stated that they were the results - of Thimmarayappa's own confused ideas and the Public Prosecutor cleared the doubts of the Munsiff at a -- subsequent hearing of the case and the latter dismiss

NOTE—Contn sheet

dismissed the case Thimmarayappa also filed a frivolous complaint against the Trust Board authorities and the Police before the City Magistrate and the Sessions Court that but they were rejected He then filed a revision petition in the Chief Court which was also dismissed

36 Again on 2nd July 1923 Thimmarayappa presented a petition to Government and this was sent for disposal to the Chairman with this office Memo No 1068/M1 13-23-7 dated the 8th August 1923 Thereupon the Chairman has reported in his letter No 16 dated the 8th September 1923 that the petitioner Thimmarayappa presented a license application for putting up a shed on his land to the east of Mr. Amble Anniah Pandit's School on the Chamaraja Road, which was included in the area acquired by Government for the construction of a High School Student's Hostel and that Thimmarayappa was accordingly informed that the whole of the land including his own site upon which he wanted to build a shed belonged to Government and that the Trust Board had no power to sanction the erection of the shed thereon

37 In regard to application of Thimmarayappa for building this house the Chairman invites reference to his letter No C 205 dated the 23rd December 1920 wherein it was stated that Thimmarayappa was long ago allotted a site

G R S III-2,

General and Revenue Secretariat

File No 23 of 1921

Serial No

in Nalla Street, Krishnaraja Mohalla, three times as big as his acquired house and only a few yard from - it, and that site is even now available for him

3. The Chairman has further stated that the acquisition of the petitioner's house has become absolute, and that he has exhausted all his remedies in Civil and all Criminal Courts and the Chief Court and that he has now chosen to behave as if labouring under an hallunication that the acquisition of his house had been ordered by Government to be withdrawn or that they have ordered the land to be given back to him

4. Submitted for orders

Note—Contn sheet

Govt. S III-21

General and Revenue Secretariat

M File No. 23 of 1921

1605

Serial No	
	43 Rough endorsement drawn with reference to the Dewan's order at para 42 above.
	17/11/23 Sd/- L & L Secretary
	Please type the Draft prepared by Mr. Lakshmikantaiya, with Kannada translation, and submit to the Dewan for kind approval.
	Sd/- 16/11
	Typed copy of endorsement with Kannada translation as drawn
	17/11/23 L & L Secretary / Dewan
	Draft submitted for kind approval
	17/11
	29/11

DEWAN'S OFFICE.
Recd. on NOV 17 1923
Reg. No. 3250

Note—Contn sheet

General and Revenue Secretariat | ml File No. 23 of 19 21

Serial No

108

To

Thirumarayappa of
Puttur

No L 4192 of 4 12 23

Informs that his house was duly acquired & that the question of Compensation for the acquisition was settled by a Court of Law and adds that a sale three times in big as this Site of his acquired house has been allotted to him by the Govt Enquired to certain conditions which he may take he is agreeable

B Jnk
6/12/23

Note—Contn. sheet

G R S. VI—G/32]

SUBJECT

Diary No of letter replied to 3465

General and Revenue Secretariat

( )

, the 191

Section Sel
File No. 23-21
Serial No 53

No. L 3722

Date of issue 23.12.1921

Signed by Dwc. D.C. Subbaraya Iyer

To

1. The Chairman Mysore City Improvement Trust Board

Sir

I am directed to forward herewith the petitions dated 29th Nov and 13th Dec 1921 received from Shivanarama Iyer of Mysore city praying for reduced rates in the matter of the acquisition of his house by the Trust Board together with a copy of the

OBCT

order of the 1st Munsiff
of Mysore in O.S. No 1011
of 1920 and to re-
quest you to be so kind as to furnish the same within a fortnight
as to submit along with
the existing records relating
to the acquisition of
the petitioner's house and
a report on all the
allegations made in
the petition and the
observations made by
the Munsiff regarding
the propriety or otherwise
of granting the prayer.

I have etc

List of enclosures.

Yours faithfully
[illegible]
21/12/21

Copied by

Examined by 22/12/21

33224

OFFICE OF THE CHAIRMAN,
CITY IMPROVEMENT TRUST BOARD, MYSORE

Date 28th January 192 2

No. 60
Encs. 3 ಆಜ್ಞಾ ಪತ್ರ.
(1 ಕಾಗದದೊಂದಿಗೆ,
2 Petition ದಿನಾಂಕ 29-11 ಇಟ್ಟ
Thimmarayappa.
3 Muzrib's order
4 Petition ದಿನಾಂಕ 13 ಇಟ್ಟ
ನ Thimmarayappa).

23-21
64
REVENUE & JUDICIAL SECT
L 5705
4 FEB 1922
LOCAL SELF GOVTS
BRANCH.

From

RAJASABHABHUSHANA, DIWAN BAHADUR,
C SRIKANTESVARA AIYAR, B A, B L,
CHAIRMAN, CITY IMPROVEMENT TRUST BOARD,
MYSORE

To

C. Venkata Rao, Esquire., B.A ,
Secretary, to the Government of His Highness the
Maharaja of Mysore, Revenue Department

Sir

With reference to your letter No.L 3722/M1.23-21-53 dated the 23rd December 1921 forwarding for report the petitions of Thimmarayappa dated the 29th November 1921 and 13th December 1921 regarding the acquisition of his house by the Trust Board, I have the honour to state that Thimmarayappa having presented a petition Government complaining against the acquisition of his house in Chamaraja Road, a report was called for, and the same was submitte to Government with all connected papers in this office No A ——— dated the 17th August 1919 whereon Government issued an endorsement to him declining to interfere

2 On completion of the acquisition proceedings, he persistently evaded handing over possession and kept out of sight The City Magistrate was therefore requested to cause its surrender under section 47 of the Land Acquisition Regulation When the Police were engaged in carrying out the Magistrate's order, Thimmarayappa caused hurt to them and one of the Board's Sub-Overseer who went in persuance of the call of the Police Thimmarayappa was

therefore charged by the Police for assaulting Public servants The case was later on withdrawn by the Deputy Commissioner

3. Thimmarayappa thereafter filed a frivolous complaint against the Board's authorities and the Police, before the City Magistrate who would seem to have dismissed it. He then went to Sessions Court where also it was rejected He again put in another revision petition to the Chief Court, where it is now pending

4. The house in question was demolished on its delivery by the Magistrate and after every possible facilities and chance given to Thimmarayappa No loss was ever caused to him, and his allegations are untrue The land being required for the construction of a Boarding Home attached to Mr Banumiah's School, which he full well knows, having been repeatedly informed of it, his pretended allegation of its being given to some body else, is not true Thimmarayappa was offered a site in Nalla street which he declined to take The facts connected with this offer were also reported to Government in this office letter No.C.205 dated the 23rd December 1920 on which Government have given him an endorsement No R 8851/M1 22-20-60 dated the 11th February 1921

5 As for the observations made by the 1st Munsiff, they were the result of his own confused ideas The properties notified by Government are indicated both by Block plan numbers and by Municipal door numbers which latter are frequently liable to change The Public Prosecutor explained them all to the 1st Munsiff when the case came on for hearing in persuance of the said observations Thereupon the 1st Munsiff cleared his own doubts and dismissed the case in which he had made those observations (vide copy of his Judgment which explains itself) Though for judicial purposes a scrutiny in that case by the 1st Munsiff regarding his doubts was necessary, it had no bearing whatsoever in Thimmarayappa's case which was not before the Court, nor did Thimmarayappa's interest ever suffer thereby, as all proceedings

in his case were quite different and were conducted, as he knew, with reference to the house in which he was dwelling, and he brought no reference to the Board for any question.

6. Thimmarayappa has all along been acting hostile to the Trust Board and has been setting a bad example to others and though his case is finally closed, he is repeatedly presenting petitions to reopen the subject and their entertainment and enquiry is taken by him as a sort of emulation and encouragement to his defiant attitude

7 The original file of papers is with the Government Advocate in connection with the revision petition now pending in the Chief Court as referred to above.

I have the honour to be,

Sir,

Your most obedient servant,

Chairman.

(95

O.S.No.1014 of 1919-20

In the Court of the 1st Munsiff of Mysore dated the 19th day of August 1921.

Present N K Sreenivasa Rao, Esquire, B.A., B.L.,
1st Munsiff.

Plaintiffs- (1) Krishnaiya (2) Shambhulingaiah
VS.
Defendant- The Chairman, of the City of Mysore Improvement Trust Board, and Land Acquisition Officer, Mysore.

JUDGMENT

Suit for a perpetual injunction restraining the defendant Board from interfering with the plaintiff's possession and enjoyment of their house No.773, contrary to the terms of the Board's resolutions of 28th May 1917, and a special contract entered into in pursuance thereof, and for costs

The plaint was originally filed in the District Judge's Court on 3rd April 1920, and was returned for presentation to the proper Court on the ground that it was found that that Court had no jurisdiction

The plaint was then presented in this Court on 22nd June 1920 The defendant filed his written statement on 7th July 1920 The plaintiffs obtained a temporary injunction order which was confirmed on 12th July 1920, on which the following issues were settled

1) Is the suit as framed not maintainable in this Court for reasons alleged in the written statement,
2) Did the plaintiffs express in proper time, their readiness and willingness to act up to the

-6

terms of the Trust Board Resolutions in question, and was the default if any due to the acts of the defendant and his servants as pleaded in the plaint ?

3) Has the defendant consequently no right to oust the plaintiffs and acquire their house under the Land Acquisition Regulation ?

4) To what relief if any are the plaintiffs entitled ?

The suit came on for final hearing on 2-8-20, 30-8-20, 1-9-20, 9-10-20, 10-11-20, 8-12-20, 3-1-21, 1-2-21, 15-2-21, 28-3-21, 16-5-21, 1-6-21, and for arguments on 13th June 21, 20-6-21, 23-6-21, and 26-6-21 There has been some delay in writing judgment because I waited for some reference books which however I was not able to secure.

Lists of witnesses examined and documents admitted in evidence are separately filed.

'1 This is a suit for a permanent injunction to restrain the "Left Board" from interfering with plaintiff's house No.773, in the Chamaraja road Mysore The necessity for this suit has arisen because certain Land Acquisition proceedings have been commenced against the plaintiffs, who are sought to be evicted by the Defendant. The plaintiffs seek to aside the proceedings on the ground that the defendant is not entitled to proceed in that manner by reason of certain resolutions to act up to the terms of which the plaintiffs were ready and willing

2. The circumstances leading up to the present suit are briefly these The plaintiff's house which bears Door No 773 is plan No.196 and is situate in block No 64 of the plan kept in the office of the C.I I Board This property along with

certain other properties were advertised for acquisition on 22-2-1917 as per page 145 of the Gazette Notification Exhibit XIV is a plan of the whole block and Exhibit I is a plan of the plaintiff's house and the adjoining houses The door numbers are not given there The plaintiffs and others agitated to get the acquisition reconsidered with the result that the City Improvement Trust Board passed a Resolution on 28-5-1917, which is as follows- (Exhibit A) "II Reconsideration of the Acquisition of properties Nos.(193 778 and(198)772 block 64, Krishnaraja mohalla.

Resolved that the whole extent of land whereon exist at present the above two properties indicated by plan Nos.196,201, and 211 and three Trust properties Nos 217,215, 194 in block 64, bounded on .. . be reallotted into four building sites, each of 53 feet in width, east to west. Out of the four new sites so formed the owners of properties Nos 193,198, 201 and 211 be each given a site as far as possible at the very locality of their dwelling houses under the following conditions.

1) That they pay for the extra land covered by the new site over and above the extent of site of their existing houses at the rate of Rs.2 a square yard

2) That their existing houses be entirely demolished by them at their own cost without claiming any compensation as agreed to by them, and within the expiry of two months from the date of issue of notice to that effect

3) That new structures satisfying the conditions of the building bye-laws and befitting the road on which they are situated, are constructed by them on the several sites

to be newly given to them

4) That within the expiry of fifteen days from date of service of notice given to them they execute mutchalikas in favour of the Chairman, City Improvement Trust Board binding themselves to abide by the above conditions and undertake to commence and complete the buildings in terms of the mutchalika approved by Government in vogue That if the parties fail to act up to all or any of these conditions, or any of terms of the mutchalika herein referred to, the above properties Nos.193,198,201,211 be acquired without any heed to their representations, valuing the same in the state they will be found to be at the time of the acquisition"

This resolution is exhibit A and is important There -upon the Chairman issued the notice Exhibit B dated 29th Aug 17 to the present 1st plaintiff asking him to execute a mutchalika as per terms of the Resolution Exhibit A Here the 1st plaintiff is designated as the owner of plan No 198, and the door number is not given there. This is the duplicate given to the 1st plaintiff Exhibit L is the original addressed to both the plaintiffs and the plaintiff in O S No 1015/19-20, and all of them are designated the owners or occupiers of plan No 198 This was served on the first plaintiff on 3-9-1917, and on the other two on 24-9-1917 The next important step was that on 26-5-19 the Board passed another Resolution extending time Exhibit (XV) and sent another notice (Exhibit C) to the 1st plaintiff (Exhibit C, dated 30 -6 ?-1919 The original of this is exhibit N which is addressed to all three people. This was served on the 4th of July 1919 Thereupon the acquisition of the houses was commenced. Exhibits D & O are the acquisition notices re plan No 198 The door number is

here given as 772 asking them to appear on the 5th of August. Exhibits D, and Q are the awards made by some officerfor Chairman and Acquisition Officer". The plaintiffs did not vacate the building and therefore the defendant applied to the Magistrate for necessary action, with the result that this suit has been filed.

3. This suit is closely connected with O S 1015 of 10-20 filed by Ramayya, and with the consent of parties the evidence in that suit was also recorded here The case for the plaintiffs in both the suits is that they were ready and willing to act up to the terms of the Resolution Exhibit A, and that the subsequent acquisition proceedings were in error. That is the main contention of fact involved in the suit The case for the defendant on the facts is that the plaintiffs did not act up the terms of Exhibit A in spite of repeated notices and that they had to resort to compulsory proceedings The plaintiffs have examined themselves and two others Venkatamma and Thimmarayappa who are practically sailing in the same boat as themselves, and also three others who speak to the plaintiffs waiting at the Chairman's Office for the purpose of executing mutchalikas The defendant has examined a former Chairman who was in charge at about the time of the Resolution and further proceedings till very recently, and also the Sub-Overseer connected with the City Improvement Trust Board Office and a Process Server of the same office Some correspondence has also been filed The most important of them is Exhibit M which was received on 9-10-1917, and the marginal note by the Chairman thereon (Typed by me)

4 For reasons given in the Judgment of 1015 of 19-20 briefly, I believe the former Chairman- I hold that the plaintiffs have not proved the 2nd issue and that defendant has a right to oust the plaintiffs who are not entitled to any relief. The suit is dismissed with costs. Advocate's fee

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Rs 25, costs include copies taken or filed. Send intimation to Magistrate withdrawing order on Monday.

Open Court.

19-8-1921

Sd. N K Sreenivasa Rao,
1st Munsiff.

copy.

for Chairman

(31)

Petn No 107

Noted AM

29-11-1921

(82)

In the Court of the First Munsiff of M y s o r e

C. S. No.1014 of 1919 - 1920.

Dated 16th July 1921.

Present:- M. K. Srinivasa Rao, Esqr. B.A., B.L.
1st Munsiff.

Plaintiffs:- L. Krishnaiyya and others.

Defendant:- The Chairman of the City Improvement Trust Board.

O r d e r.

I wanted to write judgment in this case as early as possible but I find it impossible to write a judgment without putting the parties to the trouble of explaining certain matters. I am not concerned much with the confusion about the houses of Venkatamma and Timmarayappa, but it seems as though no award has been made with reference to the house of the present Plaintiffs, whose houses again do not seem to be the subject of No adjudication exhibit A.

According the Plaintiffs their house is number 773 plan No.1'3. I sent for the Gazette of 22-3-1917.

Plan No.	Door No.	Name of person etc	East	West	North to South.
211.	646	Shoik Haidar	16ft 30ft	16ft 24ft	
1 No.	773	Kunaiyya	21ft 3ft 3ft	23ft 14ft.	

Plan.No.	Door.No.	Name of person etc.	East to West	North to South
196.	773	Krishnaiyya	28ft	21ft.
193.	770	Narasanna & Venkatesam.	24ft 24ft	36ft 20ft

Thus according to the Gazette the Plaintiff's property is plan No.196. The old or comprehensive plan exhibit XIV shows this as still not acquired, along with 193. This 196 is behind No.195. No.193 is shown as acquired in the plan XIV. The Plaint must therefore be wrong or the Gazette must be wrong so far as the plan numbers of Plaintiff's house is concerned. The Resolution exhibit A. does not mention place number 196 at all, nor is the Plaintiff's door number given there. Therefore apparently the Plaintiff's house did not form the subject of the Resolution exhibit A. at all. But notices have from time to time been issued to the 1st Plaintiff (B.L.G. N.K.D.1) and in those notices house number 772 plan number 193 is attributed to the Plaintiff along with Ramaiyya the Plaintiff in O.S.1015. If therefore it was understood that the Plaintiffs and Ramaiyya jointly owned the latter house (see exhibit K) one will have to suppose that the Resolution applies to the present Plaintiffs also. If that is so they will reap the advantage of the Resolution though their property is mentioned there. This issue may have momentous consequences especially in view of other cases, possibly. There is another difficulty or two. The plan exhibit I does not fully correspond to place exhibit XIV. Number 193 is omitted in exhibit I, whereas no.193 has two subdivisions A and B. This sub division appears for the 1st time in exhibit II and not before and does not even exist in the ward. If we suppose that 193 must mean neither, nor than 193/1 mentioned in exhibit II, there

there is the further difficulty that the dimensions given in the Gazette do not well tally with the dimensions in the award exhibit D1. Thus the result in this. Prima facie the Plaintiffs house did not form the subject of the Resolution exhibit A. Against this, there are the notices attributing 198 door No.772 mean the same house the Plaintiffs can take advantage of the Resolution exhibit A, and the award exhibit D1 will be for their house. If the award is for their house the door numbers and the dimensions do not tally. If the award exhibit D.1 is not for their house there must be some other award.

I think it better to hear the parties in view of the importance of the question. Typed by me.

(Sd) N.K.Sreenivasa Rao,
1st Munsiff.

Adjourned to 27-7-1921.

(Sd) N.K.S.,
1st Munsiff.

--- (True Copy) ---

Sd/ Head Munshi.

(35

Petition No 108

Noted MA

ಸಂಖ್ಯೆ: ಸಿಆಸುಇ 342 ಕೆಎಸ್‌ಎಸ್ 2017

ಕರ್ನಾಟಕ ಸರ್ಕಾರಿ ಸೌಧ,
ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 26-6-2017

ಓದಿದವರು:

1. ಸರ್ಕಾರದ ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ಸಿಆಸುಇ 342 ಕೆಎಸ್‌ಎಸ್ 2017, ದಿನಾಂಕ: 13-6-2017
2. ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗದ ಪತ್ರ ಸಂಖ್ಯೆ: ಕೆಪಿಎಸ್‌ಸಿ/ಪರೀ(1)/ಕೆಎಎಸ್ ಪೂ.ಪ.ಪ.ಪ.-2/2016-17, ದಿನಾಂಕ: 28-5-2017
3. ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗದ ಪತ್ರ ಸಂಖ್ಯೆ: ಕೆಪಿಎಸ್‌ಸಿ/ಪರೀ(1)/ಕೆಎಎಸ್ ಪೂ.ಪ.ಪ.ಪ.-2/2016-17, ದಿನಾಂಕ: 3-7-2017

ಪ್ರಸ್ತಾವನೆ:

ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗವು ಕರ್ನಾಟಕ ಆಡಳಿತ ಸೇವೆಗಳ (ಪೂರ್ವಭಾವಿ ಪರೀಕ್ಷೆ) ನಿಯಮಗಳು, 1977 ರ ನಿಯಮ 5(1) ರಲ್ಲಿ ಕಲ್ಪಿಸಿರುವ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ, ಕರ್ನಾಟಕ ಆಡಳಿತ ಸೇವೆಗಳ (ಪೂರ್ವಭಾವಿ ಪರೀಕ್ಷೆ) ನಿಯಮಗಳು, 1977 ರ ನಿಯಮ 3 ಕ್ಕೆ ತಿದ್ದುಪಡಿ ಮಾಡಲು ಉದ್ದೇಶಿಸಿ, ಮೇಲೆ ಓದಿದ (1) ರಲ್ಲಿ ಸರ್ಕಾರದ ಅಧಿಸೂಚನೆಯನ್ನು ಹೊರಡಿಸಿದ್ದು, ಸದರಿ ಅಧಿಸೂಚನೆಯ ಕರಡನ್ನು ಮೇಲೆ ಓದಿದ (2) ರಲ್ಲಿ ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗದ ಪತ್ರದೊಂದಿಗೆ ಲಗತ್ತಿಸಿ ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸಿದ್ದು, ಸದರಿ ಕರಡಿನಲ್ಲಿ ಕೆಲವು ಲೋಪದೋಷಗಳಿದ್ದು, ಅವುಗಳನ್ನು ಸರಿಪಡಿಸಿ ಕರಡನ್ನು ಪುನರ್ ಪರಿಶೀಲಿಸಿ ಸಲ್ಲಿಸಲು ಕೋರಿ ಸರ್ಕಾರವು ಮೇಲೆ ಓದಿದ (3) ರಲ್ಲಿ ಆಯೋಗಕ್ಕೆ ಪತ್ರ ಬರೆದಿದ್ದು, ಆಯೋಗವು ಸದರಿ ಕರಡನ್ನು ಪರಿಶೀಲಿಸಿ ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸಿದೆ.

ಆದೇಶ:

ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗವು ಕರ್ನಾಟಕ ಆಡಳಿತ ಸೇವೆಗಳ (ಪೂರ್ವಭಾವಿ ಪರೀಕ್ಷೆ) ನಿಯಮಗಳು, 1977 ರ ನಿಯಮ 5(1) ರಲ್ಲಿ ಕಲ್ಪಿಸಿರುವ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ, ಕರ್ನಾಟಕ ಆಡಳಿತ ಸೇವೆಗಳ (ಪೂರ್ವಭಾವಿ ಪರೀಕ್ಷೆ) ನಿಯಮಗಳು, 1977 ರ ನಿಯಮ 3 ಕ್ಕೆ ತಿದ್ದುಪಡಿ ಮಾಡಲು ಉದ್ದೇಶಿಸಿ, ಮೇಲೆ ಓದಿದ (1) ರಲ್ಲಿ ಸರ್ಕಾರದ ಅಧಿಸೂಚನೆಯನ್ನು ಹೊರಡಿಸಿದ್ದು, ಸದರಿ ಅಧಿಸೂಚನೆಯ ಕರಡನ್ನು ಮೇಲೆ ಓದಿದ (2) ರಲ್ಲಿ ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗದ ಪತ್ರದೊಂದಿಗೆ ಲಗತ್ತಿಸಿ ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸಿದ್ದು, ಸದರಿ ಕರಡಿನಲ್ಲಿ ಕೆಲವು ಲೋಪದೋಷಗಳಿದ್ದು, ಅವುಗಳನ್ನು ಸರಿಪಡಿಸಿ ಕರಡನ್ನು ಪುನರ್ ಪರಿಶೀಲಿಸಿ ಸಲ್ಲಿಸಲು ಕೋರಿ ಸರ್ಕಾರವು ಮೇಲೆ ಓದಿದ (3) ರಲ್ಲಿ ಆಯೋಗಕ್ಕೆ ಪತ್ರ ಬರೆದಿದ್ದು, ಆಯೋಗವು ಸದರಿ ಕರಡನ್ನು ಪರಿಶೀಲಿಸಿ ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸಿದೆ.

ಸಂಖ್ಯೆ: ಸಿಆಸುಇ 342 ಕೆಎಸ್‌ಎಸ್ 2017

ಕರ್ನಾಟಕ ಸರ್ಕಾರಿ ಸೌಧ,
ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 26-6-2017

ಓದಿದವರು:

1. ಸರ್ಕಾರದ ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ಸಿಆಸುಇ 342 ಕೆಎಸ್‌ಎಸ್ 2017, ದಿನಾಂಕ: 13-6-2017
2. ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗದ ಪತ್ರ ಸಂಖ್ಯೆ: ಕೆಪಿಎಸ್‌ಸಿ/ಪರೀ(1)/ಕೆಎಎಸ್ ಪೂ.ಪ.ಪ.ಪ.-2/2016-17, ದಿನಾಂಕ: 28-5-2017
3. ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗದ ಪತ್ರ ಸಂಖ್ಯೆ: ಕೆಪಿಎಸ್‌ಸಿ/ಪರೀ(1)/ಕೆಎಎಸ್ ಪೂ.ಪ.ಪ.ಪ.-2/2016-17, ದಿನಾಂಕ: 3-7-2017

ಪ್ರಸ್ತಾವನೆ:

ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗವು ಕರ್ನಾಟಕ ಆಡಳಿತ ಸೇವೆಗಳ (ಪೂರ್ವಭಾವಿ ಪರೀಕ್ಷೆ) ನಿಯಮಗಳು, 1977 ರ ನಿಯಮ 5(1) ರಲ್ಲಿ ಕಲ್ಪಿಸಿರುವ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ, ಕರ್ನಾಟಕ ಆಡಳಿತ ಸೇವೆಗಳ (ಪೂರ್ವಭಾವಿ ಪರೀಕ್ಷೆ) ನಿಯಮಗಳು, 1977 ರ ನಿಯಮ 3 ಕ್ಕೆ ತಿದ್ದುಪಡಿ ಮಾಡಲು ಉದ್ದೇಶಿಸಿ, ಮೇಲೆ ಓದಿದ (1) ರಲ್ಲಿ ಸರ್ಕಾರದ ಅಧಿಸೂಚನೆಯನ್ನು ಹೊರಡಿಸಿದ್ದು, ಸದರಿ ಅಧಿಸೂಚನೆಯ ಕರಡನ್ನು ಮೇಲೆ ಓದಿದ (2) ರಲ್ಲಿ ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗದ ಪತ್ರದೊಂದಿಗೆ ಲಗತ್ತಿಸಿ ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸಿದ್ದು, ಸದರಿ ಕರಡಿನಲ್ಲಿ ಕೆಲವು ಲೋಪದೋಷಗಳಿದ್ದು, ಅವುಗಳನ್ನು ಸರಿಪಡಿಸಿ ಕರಡನ್ನು ಪುನರ್ ಪರಿಶೀಲಿಸಿ ಸಲ್ಲಿಸಲು ಕೋರಿ ಸರ್ಕಾರವು ಮೇಲೆ ಓದಿದ (3) ರಲ್ಲಿ ಆಯೋಗಕ್ಕೆ ಪತ್ರ ಬರೆದಿದ್ದು, ಆಯೋಗವು ಸದರಿ ಕರಡನ್ನು ಪರಿಶೀಲಿಸಿ ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸಿದೆ.

ಆದೇಶ:

ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗವು ಕರ್ನಾಟಕ ಆಡಳಿತ ಸೇವೆಗಳ (ಪೂರ್ವಭಾವಿ ಪರೀಕ್ಷೆ) ನಿಯಮಗಳು, 1977 ರ ನಿಯಮ 5(1) ರಲ್ಲಿ ಕಲ್ಪಿಸಿರುವ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ, ಕರ್ನಾಟಕ ಆಡಳಿತ ಸೇವೆಗಳ (ಪೂರ್ವಭಾವಿ ಪರೀಕ್ಷೆ) ನಿಯಮಗಳು, 1977 ರ ನಿಯಮ 3 ಕ್ಕೆ ತಿದ್ದುಪಡಿ ಮಾಡಲು ಉದ್ದೇಶಿಸಿ, ಮೇಲೆ ಓದಿದ (1) ರಲ್ಲಿ ಸರ್ಕಾರದ ಅಧಿಸೂಚನೆಯನ್ನು ಹೊರಡಿಸಿದ್ದು, ಸದರಿ ಅಧಿಸೂಚನೆಯ ಕರಡನ್ನು ಮೇಲೆ ಓದಿದ (2) ರಲ್ಲಿ ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗದ ಪತ್ರದೊಂದಿಗೆ ಲಗತ್ತಿಸಿ ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸಿದ್ದು, ಸದರಿ ಕರಡಿನಲ್ಲಿ ಕೆಲವು ಲೋಪದೋಷಗಳಿದ್ದು, ಅವುಗಳನ್ನು ಸರಿಪಡಿಸಿ ಕರಡನ್ನು ಪುನರ್ ಪರಿಶೀಲಿಸಿ ಸಲ್ಲಿಸಲು ಕೋರಿ ಸರ್ಕಾರವು ಮೇಲೆ ಓದಿದ (3) ರಲ್ಲಿ ಆಯೋಗಕ್ಕೆ ಪತ್ರ ಬರೆದಿದ್ದು, ಆಯೋಗವು ಸದರಿ ಕರಡನ್ನು ಪರಿಶೀಲಿಸಿ ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸಿದೆ.

ಸಂಖ್ಯೆ: ಸಿಆಸುಇ 342 ಕೆಎಸ್‌ಎಸ್ 2017

ಕರ್ನಾಟಕ ಸರ್ಕಾರಿ ಸೌಧ,
ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 26-6-2017

ಓದಿದವರು:

1. ಸರ್ಕಾರದ ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ಸಿಆಸುಇ 342 ಕೆಎಸ್‌ಎಸ್ 2017, ದಿನಾಂಕ: 13-6-2017
2. ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗದ ಪತ್ರ ಸಂಖ್ಯೆ: ಕೆಪಿಎಸ್‌ಸಿ/ಪರೀ(1)/ಕೆಎಎಸ್ ಪೂ.ಪ.ಪ.ಪ.-2/2016-17, ದಿನಾಂಕ: 28-5-2017
3. ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗದ ಪತ್ರ ಸಂಖ್ಯೆ: ಕೆಪಿಎಸ್‌ಸಿ/ಪರೀ(1)/ಕೆಎಎಸ್ ಪೂ.ಪ.ಪ.ಪ.-2/2016-17, ದಿನಾಂಕ: 3-7-2017

ಪ್ರಸ್ತಾವನೆ:

ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗವು ಕರ್ನಾಟಕ ಆಡಳಿತ ಸೇವೆಗಳ (ಪೂರ್ವಭಾವಿ ಪರೀಕ್ಷೆ) ನಿಯಮಗಳು, 1977 ರ ನಿಯಮ 5(1) ರಲ್ಲಿ ಕಲ್ಪಿಸಿರುವ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ, ಕರ್ನಾಟಕ ಆಡಳಿತ ಸೇವೆಗಳ (ಪೂರ್ವಭಾವಿ ಪರೀಕ್ಷೆ) ನಿಯಮಗಳು, 1977 ರ ನಿಯಮ 3 ಕ್ಕೆ ತಿದ್ದುಪಡಿ ಮಾಡಲು ಉದ್ದೇಶಿಸಿ, ಮೇಲೆ ಓದಿದ (1) ರಲ್ಲಿ ಸರ್ಕಾರದ ಅಧಿಸೂಚನೆಯನ್ನು ಹೊರಡಿಸಿದ್ದು, ಸದರಿ ಅಧಿಸೂಚನೆಯ ಕರಡನ್ನು ಮೇಲೆ ಓದಿದ (2) ರಲ್ಲಿ ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗದ ಪತ್ರದೊಂದಿಗೆ ಲಗತ್ತಿಸಿ ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸಿದ್ದು, ಸದರಿ ಕರಡಿನಲ್ಲಿ ಕೆಲವು ಲೋಪದೋಷಗಳಿದ್ದು, ಅವುಗಳನ್ನು ಸರಿಪಡಿಸಿ ಕರಡನ್ನು ಪುನರ್ ಪರಿಶೀಲಿಸಿ ಸಲ್ಲಿಸಲು ಕೋರಿ ಸರ್ಕಾರವು ಮೇಲೆ ಓದಿದ (3) ರಲ್ಲಿ ಆಯೋಗಕ್ಕೆ ಪತ್ರ ಬರೆದಿದ್ದು, ಆಯೋಗವು ಸದರಿ ಕರಡನ್ನು ಪರಿಶೀಲಿಸಿ ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸಿದೆ.

ಆದೇಶ:

ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗವು ಕರ್ನಾಟಕ ಆಡಳಿತ ಸೇವೆಗಳ (ಪೂರ್ವಭಾವಿ ಪರೀಕ್ಷೆ) ನಿಯಮಗಳು, 1977 ರ ನಿಯಮ 5(1) ರಲ್ಲಿ ಕಲ್ಪಿಸಿರುವ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ, ಕರ್ನಾಟಕ ಆಡಳಿತ ಸೇವೆಗಳ (ಪೂರ್ವಭಾವಿ ಪರೀಕ್ಷೆ) ನಿಯಮಗಳು, 1977 ರ ನಿಯಮ 3 ಕ್ಕೆ ತಿದ್ದುಪಡಿ ಮಾಡಲು ಉದ್ದೇಶಿಸಿ, ಮೇಲೆ ಓದಿದ (1) ರಲ್ಲಿ ಸರ್ಕಾರದ ಅಧಿಸೂಚನೆಯನ್ನು ಹೊರಡಿಸಿದ್ದು, ಸದರಿ ಅಧಿಸೂಚನೆಯ ಕರಡನ್ನು ಮೇಲೆ ಓದಿದ (2) ರಲ್ಲಿ ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗದ ಪತ್ರದೊಂದಿಗೆ ಲಗತ್ತಿಸಿ ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸಿದ್ದು, ಸದರಿ ಕರಡಿನಲ್ಲಿ ಕೆಲವು ಲೋಪದೋಷಗಳಿದ್ದು, ಅವುಗಳನ್ನು ಸರಿಪಡಿಸಿ ಕರಡನ್ನು ಪುನರ್ ಪರಿಶೀಲಿಸಿ ಸಲ್ಲಿಸಲು ಕೋರಿ ಸರ್ಕಾರವು ಮೇಲೆ ಓದಿದ (3) ರಲ್ಲಿ ಆಯೋಗಕ್ಕೆ ಪತ್ರ ಬರೆದಿದ್ದು, ಆಯೋಗವು ಸದರಿ ಕರಡನ್ನು ಪರಿಶೀಲಿಸಿ ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸಿದೆ.

29

R. S. VI—G/32]

36

SUBJECT .....

Diary No of letter replied to 5105

General and Revenue Secretariat

, the 191

Date of issue 7 3 22

Signed by Mr D C S

Section

File No

Serial No 70

To

The Chairman,
City Improvement Trust
Board, Mysore.

Sir

With ref: to your letter
No 605 dtd 28th Jan: 1922
submitting a report on the
petitions of Thimmaraya Appa
of Mysore city regarding the
acquisition of his house by
the Trust Board, I am
to request You to be so good

over

[illegible]

[illegible]

[illegible]

1 04-9

No 12
Lnc

OFFICE OF THE CHAIRMAN
CITY IMPROVEMENT TRUST BOARD, MYSORE

DATED 22nd August . 192 3

FROM

RAJASABHABHUSHANA, DIWAN BAHADUR,
C SRIKANTESVARA AIYAR, B A, B L,
CHAIRMAN, CITY IMPROVEMENT TRUST BOARD,
MYSORE

26 AUG 1923

TO

T E Jayarama Iyer, Esquire , B A ,B L ,
Secretary, to the Government of His Highness
Maharaja of Mysore,
Revenue Department

SIR,

With reference to your letter No L.5104/Ml.23-21-70 dated the 7th March 1922 calling for a copy of the Chief Court Order in Sepoy Thimmarayappa's case, and for the file of papers relating thereto, I have the honour to state that the District Magistrate, Mysore, has been requested to send a copy of the Chief Court Order in the case. The Government Advocate, Bangalore has also been requested to forward any papers that might have been filed in the Chief Court, and on receipt of them a reply will be submitted to Government in the matter.

I have the honour to be,

SIR,

Your most obedient servant,

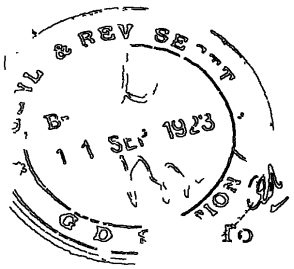
Chairman.

No
Enc

OFFICE OF THE CHAIRMAN
CITY IMPROVEMENT TRUST BOARD, MYSORE
DATED 8th September 1923

FROM

RAJASABHABHUSHANA, DIWAN BAHADUR
C SRIKANTESVARA AIYAR, BA, BL,
CHAIRMAN, CITY IMPROVEMENT TRUST BOARD,
MYSORE



T.E.Jayarama Iyer, Esquire , B.A ,B.L.,
Secretary, to the Government of His Highness
the Maharaja of Mysore, Revenue Department.

SIR,

With reference to your official Memorandum No.L 1068/Ml 13-23-7 dated 8th August 1923, forwarding Thimmarayappa's petition Registered No L 301 dated the 2nd July 1923, I have the honour to state as follows—

1 Thimmarayappa owned a house No (194) 777-778 on Chamaraja Road which had been notified by Government for acquisition along with other surrounding properties, in the Mysore Gazette dated 28th March 1907 This property was duly acquired by award of compensation on 1st August 1916, and others have also been acquired.

2. Thimmarayappa not having vacated the house, the City Magistrate was requested in this office No.1279 M 719/C 538 of 16-17 dated 12th March 1917 to cause its surrender, which was done in due course.

3 The facts of this case have from time to time been reported to Government in the marginally noted communications, and the file of connected papers had also been

1. No.346 S.60/C 648 of 16-17 dated 10th November 1917
2. No A. dated 15th August 1919.

3. No.60 dated 28th January 1922.

forwarded to Government with this office No.A dated 15th August 1919 whereon the Government issued to him their final endorsement No.R.4555/M1.42-19-32 dated 20th October 1919 , that there were no grounds to reconsider the matter.

4. On receipt of his recent petition received from Government with their Memorandum of 8th August 1923 under reference, Thimmarayappa was informed that the matter would receive due consideration on his presenting a license application in the prescribed form, mentioning therein the boundaries and other particulars of his site with a plan of the building proposed to be put up. In reply, he applied to put up a shed on the land to the east of Mr. Amble Anniah Pandit's School on Chamaraja Road, the whole of which is the site formed for public purpose — viz for construction of a High School Students' Hostel—by acquiring several houses, including Thimmarayappa's own house. He was accordingly informed in this office No.297 dated 5th September 1923 that the whole of that land belonged to Government and that the Trust Board had no power to sanction the erection of a shed thereon.

5. The file of papers as per pherist, including the one which had already been forwarded to Government with this office letter No.A dated 15th August 1919 referred to above is sent herewith, for reference and return when no longer required, excepting certain papers of no material consequence (or bearing on the present matter) marked "X" in the pherist sent with the said letter No.A dated 15th August 1919. These papers marked "X", it is understood from the Public Prosecutor, would seem to have been filed in more

Courts than one, there having been several occasions during which the records relating to Thimmarayappa's case had to be filed in those courts in evidence. Thimmarayappa filed a frivolous complaint against the Police Officers and Trust Board officials before the City Magistrate's Court, Mysore. After the rejection of the said complaint he filed a revision petition before the Sessions Judge, and in answer to the Revision Petition and the written argument filed by Thimmarayappa in the Sessions Court, certain documents to refute his contention appear to have been filed by the Public Prosecutor in the Sessions Court, Mysore. Further, Thimmarayappa stood as the Chief witness for Plaintiffs Venkatamma , Ramiah and Krishnaia, who also owned houses on Chamaraja Road, in O.S.Nos.170, 1014 and 1015 of 1920-1921 respectively on the file of the 1st Munsiff's Court, Mysore, which were all ultimately dismissed, both by the original and appellette Courts. During the cross examination of Thimmarayappa, the Public Prosecutor who conducted these cases on behalf of the Trust Board would seem to have filed some of those papers marked " X " as exhibits in the said cases The Public Prosecutor has been requested to apply for and obtain the return of all papers filed in several Courts.

6 In connection with Thimmarayappa's application to build a habitation, reference is also invited to this office letter No.C.205 dated 23rd December 1920 (copy enclosed) wherein it has been submitted that he has long ago been allotted a site in Nalla street, Krishnaraja Mohalla, 3 times as big as the site of his acquired house and only a few yards from it, and that site is still available for him.

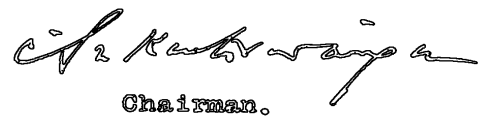
7. The acquisition of the petitioner's house has become absolute, and he has exhausted all his remedies in Civil ~~Court~~ and all Criminal Courts and Chief Court. He has now chosen to behave as if labouring under an hallucination that the acquisition of his house had been ordered by Government to be withdrawn, or that they had ordered the land to be given back to him, and that the present endorsement from Government was an order to Trust Board to permit him to build on the same site, which he still considers as his, and that the Trust Board in not permitting him to do so is acting contrary to Law, and wrongfully.

8. He further considers that all his numerous petitions to various authorities, have been kept back and that the Chairman is not carrying out the orders to restore Status quo, and that he is therefore entitled to, and wants final orders of Government in the matter.

I have the honour to be,

Sir,

Your most obedient servant,



Chairman.

U'>

No. C.205.
Exc 23.12.20

OFFICE OF THE CHAIRMAN
CITY IMPROVEMENT TRUST BOARD, MYSORE

DATED 22nd December 192 0

FROM

RAJASABHABHUSHANA, DIWAN BAHADUR
C SRIKANTESVARA AIYAR, B A, B L,
CHAIRMAN, CITY IMPROVEMENT TRUST BOARD,
MYSORE

To

G Aravamudu Iyengar, Esquire., B.A , B.L.,
Secretary to the Government of His Highness the
Maharaja of Mysore, Revenue Department.

SIR,

With reference to your letter No 6907/M1 22-20-50 dated the 9th December 1920 regarding the site on which the house of Thimmarayappa in Chamaraja Road stood, I have the honour to state that that site is not available, as that along with several other adjoining sties have been acquired for a public purpose Viz the construction of a large Students' Hostel thereon

2 As mentioned in para 3 of this office letter No 346-S 60/C 648 of 1916-1917 dated 10th November 1917 to your predecessor the site measuring $\frac{63\text{-}72'}{2}$ X30' allotted to Thimmarayappa in Nala street, Block 69 B, Krishnaraja Mohalla, which is only a few yards off from his former house is still available and may be granted to him on his executing the usual mutchalika binding himself to the terms prescribed in Government Order No.8055-8/M1 127-18-2 dated the 31st December 1918

I have the honour to be,
Sir,
Your most obedient servant,

Sd C. Srikantesvara Aiyar,
Chairman

"Copy"

for Chairman 9 9 21.

No. 2
Enc

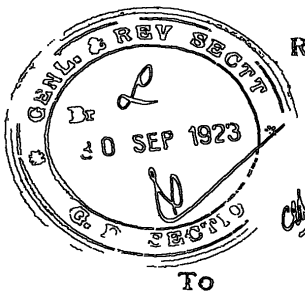
OFFICE OF THE CHAIRMAN
CITY IMPROVEMENT TRUST BOARD, MYSORE

1100.9

DATED 28th September 1923

L 1851-9

FROM



RAJASABHABHUSHANA, DIWAN BAHADUR
C SRIKANTESVARA AIYAR, B A, B L,
CHAIRMAN, CITY IMPROVEMENT TRUST BOARD,
MYSORE

Mil 23-21-100

TO

T E. Jayarama Iyer, Esquire., B A , B.L.,
Secretary, to the Government of His Highness
the Maharaja of Mysore, Revenue Department

SIR,

In continuation of this office letter No 16 dated 8th September 1923, I have the honour to forward herewith the copy of Chief Court Judgment in Thimmarappa's case with those of the Sessions Court and City Magistrate's Court Judgments received with City Magistrates No E 263 dated 27th September 1923 for reference and obliging return when done with

I have the honour to be,
Sir,
Your most obedient servant,

Chairman

In the Chief Court of Mysore at Bangalore

Friday the 9th day of December 1921

Before Sir Lionel C Miller, Kt, C.B.E
Chief Judge.

Criminal Revision petition No 21 of 1921-22

Sepoy Thimmarayappa — petitioner (Complainant)

-vs-

1 Mr M C Sreekanteswara Iyer
2) Rozario.
3) Rego.
4) Sreenivasa Rao
5) Puttanna.
6) Ibn Shamappa
7) Khadar Beg

opponents (Accused)

Government Advocate for Government

Criminal Revision petition against the order of the Sessions Judge of Mysore in Criminal Revision petition No 27 of 20-21 confirming the order of dismissal of complaint passed by the City Magistrate of Mysore in Criminal Miscellaneous Case No 208 of 20-21

This petition coming on for hearing this day, the Court pronounced the following -

Order

I do not think I can interfere in this case The charge made in December 1920 relates to an alleged offence committed, if at all 15 months before that and as the Sessions Judge observes the complainant appears to be barred by Sec 81 of the Police Regulation there is no doubt that the demolition of the house was done by the police and

5D

As such performance of an order of the city magistrate under Sec 47 of the Land Acquisition Regulation and unless the act was done in good faith there is no protection order of the magistrate and no prima facie ground for trespassing and no allegation in the complaint that the police acted otherwise than in obedience to the order

It would appear therefore that the complaint is barred by Sec 81 of the police Regulation and I may dismiss the petition on the ground.

The petitioner's real complaint is that the proceedings of the Trust Board and land Acquisition officer in acquiring his land and house were illegal. That, if true, will not make the proceedings of the police acts of mischief. The record shows that there was acquisition of the site and the police officers in handing over possession to the Trust Board under orders of the magistrate cannot be presumed to have known that they were likely to cause wrongful loss to the petitioner's title less than they intended so to do. With no such intention or knowledge their acts though they damaged the petitioner's property would not be mischief

I have nothing to do with the regularity of the proceedings of the land acquisition officer, but I may observe that all that the petitioner has made out all so far is that he has not got the land which he was led to expect would be given to him as compensation he relies for this on what purports to be a copy of a Resolution of the Trust Board of the 28th of May 1917, but that Resolution assuming the authenticity of the copy, does not in any way withdraw the acquisition proceedings but only deals with the whole question of the

acquired, and the conditions on which portions of it may be allotted to the former owners That does not affect the acquisition so far as I can see or entitle the petr to resist the order for delivery of possession It is not necessary for me to consider whether the petitioner is entitled to Something by way of compensation which he has not got That he cannot get in the prosecution The records shew that acquisition was in 1916 before this resolution and this resolution does not cancel it

I am not concerned here with the various applications made by the petitioner to officers of the Govt or with their results if any There is nothing to shew that the Govt directed the withdrawal of the notification for acquisition So far then as the charge of mischief is concerned even if Sec 81 does not stand in the way of the prosecution, the records now before me would lead me to refuse interference with the Sessions Judge's order.

As regards the charge of wrongful confinement which cannot apply to 15th accused, there must be held barred under Sec 81 The petitioner's explanation that he wanted that the case against him was disposed of before complaining does not, it seems to me, absolve him from the bar as enacted in the Section

The petition is dismissed

(Sd) Leslie C Miller
Chief Judge -

"Copy"

Undersigned
City Magistrate
Mysore
26/9 23

In the Court of Sessions, Mysore Dt.

Dated, Mysore, 16th July 1921

Present G Srinivasa Iyer, Esqre. BA, ML
Sessions Judge.

Criminal Revn Petn No 270 of 1920-21

Petitioner
Thimmanayappa

vs

Opponents
1 Mr. C S Venkatarama Iyer
2 B Rajanna
3 Rep
4 Srinivasa Rao
5 Puttanna
6 Krishnappa
7 Khadar beg

Application to revise the order of dismissal passed by the City Magistrate of Mysore in C. Misc Case No 208 of 1920-21 presented by the petr in person.

After hearing the parties and perusing the records of the case, the written arguments filed by the petr & Mr. M Srinivasa Iyengar Pleader for the opponents, the Court passed the following. —

Order.

The petitioner lodged a Complaint before the City Magistrate, Mysore, against the 1st opponent who is the President of the Trust Board, the 2nd opponent who is an Overseer working under the Board, and the other opponents who are the Police Inspr, Head Constables, Daffedars and Constables of the Mysore City, that they all demolished his house and removed his properties worth Rs 3000/- and

that they all wrongfully confined him
in the Lock-up - The Complainant was
examined at great length by the learned
Magistrate, and he considered carefully the
two questions raised by the petr, namely, whether
the demolition of the house was unauthorized,
and whether the petr was wrongfully confined
in the lock-up by the opponents In regard
to the first question, he has held that the
petitioner's house was duly acquired under
the Land Acquisition Regulation & that the summary
of the property was enforced by the Magistrate
through the Police under Sec. 67 of the Regn.
The petr himself has admitted before
the Magistrate that he received also notice
from the District Judge about the claims pre-
ferred by one Cutti Madappa in regard to
the Compensation awarded for the acquisition
of the land and house, that he contested the
claim of Cutti Madappa & obtained a decree.
This is clear evidence to shew that the property
was duly acquired, in view of this statement,
& in view of the order of the Ex Magistrate
to the Police issued under Sec. 67 of the Land
Acqn Regulation for enforcing the summary
of the possession to the Trust Board, the
learned Magte was perfectly justified in
holding that no offence had been made
out against the opponents and that the

demolition of the house was not illegal. Defects in the acquisition proceedings, even if they exist, do not show criminal intent and no such intent or defect can be deemed to exist having regard to the petitioner's conduct in contesting the claim to the compensation amount in the District Court.

In regard to the assault & wrongful confinement also, there seems no good ground for directing further enquiry as the matter has shown that from the proceedings of the own Court & from the petitioner's own admission and that it was the petitioner that tried to impede the authorities from executing the order of the Court and that a charge had been framed against the petitioner but that the case was subsequently withdrawn under the order of the Court. The petitioner does not seem to have given out the whole truth, but what he has stated seems sufficient. He says 'I do not know why the Police had come there. I do not know if the City Magistrate had issued an order to the Police to prevent possession of the property. I had asked the City Magistrate Court to give me two months' time to approach the Govt. in this connection'. If the

was not aware of the order of the City Magistrate, Bangalore and he came to ask him for time. He also admits that he did not vacate the house within the time limit fixed by the Magistrate. The learned Magte was thus justified in the order passed by him dismissing the applt under Sec. 203 Cr. Pro Code.

The petr has not produced the sanction necessary for taking Cognizance of the offences against opponents 1 & 3. Further the petr admits that the opponents 3, 4, 5, & 6 & 7 Committed the act refused to vacate his petr on 20-9-19, and his Complaint was lodged on 9-12-20, that is, more than a year from the date of the act complained of. Under Sec 81 Cl 3 of the Police Reptr Inspr in respect of acts done under Colour of duty as aforesaid shall not be entertained or shall be dismissed if instituted after one year from the date of the act complained of. There is no allegation that the 1st opponent ever demolished the house or was ever present then, or that he wrongfully confined the petitioner.

I see no reason to interfere and dismiss the application.

16-7-21

"Copy"

City magistrate
Bangalore
24/9

203

In the court of the city magistrate Mysuru

Dated 15th December 1920

Present— B Basavaradhya Govt B.A., B.L
city magistrate

C mis Case No 208 of 20-21

complaint
Timmarayappa —by— 1) Sri C Sreekanteswara
chairman of the Mysore city
Improvement Trust Board
2) Gowda Sri Rajanna of the
Said Board
3) police inspector Rpo
4) Head constable Sreenivasa
Rao
5) Seffedar Pillanna
6) Constable Krishnappa
(W.P.S)
7) constable Khaderbeg

Order

1 The complaint is that the accused have unlawfully demolished the complainants house No 777-778 in the chamaraj Road ete, and have looted his property worth Rs 3000/- in it and have illegally confined the complainant by seizing and handcuffing him

2) Being asked to state clearly the several points on which he wants relief from this court he has enumerated the four points as follows in his sworn statement before the court —

1) Decision or Resolution of the Trust is in his favour has been disregarded and set aside by the chairman (1st accused)

(2) The 1st accused has ignored the order of the diwan which was to the effect that no Tadiem should be commenced against the Complainant with regard to the above said house vacated further order

(3) During his absence from the house the accused have looted his property worth Rs 3000/- and the house erased to the ground by the 2nd accused and his Coolies with the help of the police officers dated 3 & 7

(4) The complainant was arrested while in his uniform, handcuffed and confined in the lock-up and the complainant was confined unlawfully

3- The 1st two items of Complaint do not fall directly within the Scope of the jurisdiction of this court

4- The question for the consideration of the court is (1) whether the demolishing of the house was unauthorized (2) Whether the Tadiem commenced against the complainant amount to unlawful confinement

5- The admission of the Complainant that the city magistrate myself had issued him a notice about the house furnished a clue as to whether the order for the surrender of the house was issued to the police by the city magistrate I called for the records of this court in C.M.S No 184 of 17-18 The records of these case show that an order was issued on 2-7-1919 by the city magistrate to the city Assistant superintendent of police and the order shows that

Whereas property No (194) 777-78 in Block No 64 (New Sharaj mohalla) belonging to the minor Raghava has been duly acquired by the Trust Board under the award by the acquisition officer on 1-8-1916 and a complaint has been preferred before me that the Trust Board officials are unable to take over possession of the said property under the said award you are hereby directed under Sec 47 of the Land acquisition Regulation to take such measures or may be necessary for the purpose and to put the Trust Board officers in possession of the said property on the 16th July 1919 at 9 a.m

6 The above order shows that the award was passed on 1-8-1916 and the house of the complainant was duly acquired

7 After the order of 2-7-19 the police inspector instead of enforcing the surrender of the house, submitted a statement of the complainant that he wanted not to leave the house under his appeal to the division bench is disposed of (vide Ex C1) Then the magistrate reported to the district magistrate the irregular conduct of the police inspector (vide Ex C2) The district magistrate then issued an order to the police stating as to why the inspector concerned should not be placed under suspension for not obeying the orders of the magistrate (Vide Ex C3) Then the police began to enforce the surrender of the property and did so on 20-9-19 (Vide Ex C4) Then for acts of violence committed by the complainant a criminal case been filed against him under Secs 353, 184, 188 & 506 I P C on the complaint of the 2nd accused in C C No 98 of 19-20 The case was tried and a charge framed against the present complainant under Sec 353 I P C and it was subsequently been drawn under the order of the Govt (Vide district magistrates do dated 1-5-20 & the A S P report filed in the Criminal case No 98),

8- The arrest and confinement of the complainant in connection herein the above complaint was in the case No 98 of 19-20 The complainant did not furnish Security though the court offered to release him on bail and had to be sent to jail.

9- The above facts clearly point out that every has been regularly done according to law by both the Police and the Trust Board Authorities and if any one has gone out of the way and behaved irregularly illegally, it is the present Complainant only and he has harassed the authorities unreasonably

10 As the complainant either denied or pretended ignorance of the Seemai Ekkigas of the legal formalities under the Land Registration, I had to examine the Court clerk as a court witness and get some official papers exhibited

11 Now the whole I think the facts of the case as disclosed in the examination of the complainant and in the officials papers files, do not go to make out any criminal offence against the accused and I therefore dismiss the complaint under Sec 203 of the C P C

(Sd) B Basavanappa
City Magistrate
15/12/1920

"Copy"

Basavanappa
City Magistrate
Mysore
24/9/23

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§ VI—G/32]

BJECT

Diary No of letter replied to 1125

General and Revenue Secretariat
( )
, the *192* .

Date of issue 4/12/39

Signed by

Section M1
File No 23-21
Serial No. 105

No L.1192

To

అర్జీదారమ్మ సూరసిటి వప్పా
రాజమాండ్రి చామరాజు రూబీ
సూసమరిదయ్యనగుకి ఉంగాగ
చల్లరువస మాయిలతీవ్ర రాయుప్పనిగ
ఇంటర్వ్యూ రూరు

మ్మే సూరసిటి ఇంప్రూవ్
మెంటు ట్రస్టు బోర్డిన వరు
వడదుదాంరువ నిమ్మచనేవి
స్నకర్టిసి కోరబ్రోర్ంట్లు.
నిమగ్ ఇదరిందాగిరువవప్ప
గళన్న కోటిసబోర్ంర్

over

13-12-21 మర్యామి నల్లి నిల్చే
గుజరాయిసి కోండలర్జి జాతిరా
యిరు నిమ్మమనేయన్నరానూమ
ప్రకార అప్పారేమూటిరుంచు [redacted] అదర
రంపిన్నేశ్వర్ [redacted]
[redacted] మూటిరుపుదతింద

11-2-21 మర్యామి నల్లి ఇంటార్స్
మూలరనిమగరిళియపటిరువ
కురుమన్న బదలాయిసలు
సర్కారదవరిగే యేమూవరారదూ
మూరందుబరువుటిల్ల. నిమ్మ
మనేయసేమూపదల్లియల్ల
నల్లాబిదియల్లి నిమ్మలూర్పంద
వరారదమూరరష్టుపిస్తార్థంచళ్ళ
బందుస్థటన్న విలేమూతదే నిమగాగి
బదలట్టరుర్తిదు వేర్తరవరు
రిపూర్టమూటిరుర్తరే. ట్రస్టబోర్డిన్
నవరు నిర్ణిసువేష్టర్తగళ్ళో వేప్పి ఈస్థటన్న
ఇష్టబుద్ధరేనిన్నురగదురూళ్ళబదుదు ఈ
విషయదల్లిసర్కారదవరు ఇన్నేనూమాడలుతీర్మానిల్ల

List of enclosures,

Copy forwarded by Hon'ble Ministers to Government

Examined by

Memo L4193 dated 7/11/23

Copy forwarded, with compliments, to the chairman, Trust Board requesting the remarks called for in Letter No 16 of 8-9-23.

By order,

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat

No

Dated Bangalore

ENDORSEMENT

Granted to Thimmarayappa, Mysore City.

With reference to his petition dated the 3rd December 1921 praying that his house demolished by the Mysore City Improvement Trust Board may be re-built and restore to him with suitable compensation, the Petitioner is informed that the house was duly acquired and that the questio of compensation for its acquisition was finally settled b a Court of Law The Government do not see any reason to re-consider its decision communicated to him in Endorsement dated the 11th February 1921. The Chairman reports that a site ~~which~~ which is three times as big as the site of his acquired house in Nalla Street, Krishnaraja Mohalla, a few yards from it was allotted to him and is still available for him. The petitioner may take up the site if he chooses to do so on the terms offered. Government cannot do anything further in the matter.

" BY ORDER "

C. R. Ramachar

2, SECRETARY TO GOVERNMENT,
LOCAL & LEGISLATIVE DEPARTMENTS

E W M/2

C R S VI—G/32]

SUBJECT

Diary No of letter replied to 1105

General and Revenue Secretariat

( )

, the *192*

Date of issue

Signed by

Section M

File No 23-21

Serial No. 105

No

ENDORSEMENT GRANTED to

To Thimmarayappa, Mysore City.

With reference to his petition dated 3rd December 1921 praying that his house demolished by the Mysore City Improvement Trust Board may be re-built and restored to him with suitable compensation, the Petitioner is informed that the house was duly acquired and that the question of compensation for its acquisition was finally settled by a court of law. The Government do not see any reason to re-consider its decision communicated to him in Endorsement dated 11th February 1921 The Chairman reports that a site which is three times as big as the site of his acquired house in Nalla -- Street, Krishnaraja Mohalla, a few yards from it was allotted to him and is still available for him The petitioner may

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P 0382 CRB—1000—16 4 23

may take up the site if he ~~xxxxx~~ chooses to do so on the terms offered. Government cannot do anything further in the matter.

By order,

Secretary to Government,
Local and Legislative Departments.

Memo No. Bangalore dated

Copy of the above is forwarded, with Compliments, to the Chairman, Mysore City Improvement Trust Board, ~~received~~ with his letter No. ~~84~~ dated 8th September 1923.

By Order,

Secretary to Government,
Local and Legislatiev Departments.

List of enclosures,

Copied by

Examined by

Mysore for information and favour of early compliance.

For District Magistrate,
Mysore District.

BNR.

D.D. No 121
J 13 a

OFFICE OF THE DEPUTY COMMISSIONER,
MYSORE DISTRICT,

Dated, Mysore, 15th September 1923.1924

From

District Magistrate
the Deputy Commissioner, Mysore District

To

The Chairman,
City Improvement Trust Board, Mysore.

Sir,

With reference to your letter No. 239 dated the 22nd ultimo requesting a copy of the order passed by the Chief Court in C.R.P. No. 21/21-22 on the file of their Court (Rattaiyer. Sepoy Thimma Rayappa) I have the honor to state that the City Magistrate, Mysore to whom the said Order was communicated in original has been requested in this office E.Dis on C.No. 335/J.23-24, on the 1st instant, to send you the copy of the same direct.

I have the honor to be,
Sir,
Your most obedient servant,
Sd/ B.Ramaswamaiya.
for District Magistrate,
Mysore District.

D.D. No 121 / 162
J 13 a
BER.

Copy forwarded to the City Magistrate, Mysore